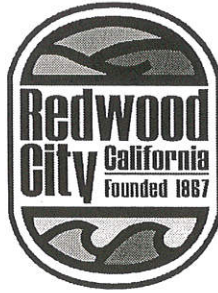


Planning Services

Community Development Services
1017 Middlefield Road
P.O. Box 391
Redwood City, CA 94064



Telephone: (650) 780-7234
Facsimile: (650) 780-0128
TDD: (650) 780-0129
Email: planning@redwoodcity.org
Website: www.redwoodcity.org

*Andrea
F11 d file
a lot of reliance on/26
BCDC
11/30*

NOTICE OF OFFICIAL ACTION

November 21, 2005

Mark Sanders
16075 Skyline Boulevard
Woodside, CA 94602

RECEIVED
NOV 29 2005

SAN FRANCISCO BAY CONSERVATION
& DEVELOPMENT COMMISSION

Subject: Issuance of Use Permit
File No.: UP 2005-08
Property Address: 1400 Seaport Boulevard
Assessor's Parcel Number: 054-300-680

Dear Mr. Sanders:

Your application for a Use Permit pursuant to Article 20, Section 4.A of the Zoning Ordinance to allow a new marina and associated accessory commercial uses to be known as the Westpoint Marina, has been reviewed by the Zoning Administrator. The site contains approximately 50 acres, including a proposed 26 acre marina basin, and is located in the Tidal Plain (TP) Zoning District. Previously, the site was used as a general purpose pond for bittern storage related to salt extraction operations. Primary access to this project is provided through the Pacific Shores Center office campus. The Westpoint Marina project includes three phases as summarized below:

Phase 1: Marina:

Total Floor Proposed Area – 7,200 square feet

- Marina Basin: permanent and guest slips as well as live-aboards* (up to 65 of total slips)..... 408 slips
- Harbor Master Building..... 5,700 sq. ft.
- Three restroom/shower facilities buildings..... 1,500 sq. ft.
- Vehicular Parking..... 315 stalls
- Boat Trailer Parking..... 45 stalls
- Two points of access
- Perimeter waterfront access path with a "belvedere" terminus
- Chain link perimeter fence on the east side of the site
- Various facilities, including at least one straddle lift, one fork lift and a launch ramp

Could be a problem

Phase 2: Boat Yard:

Total Floor Proposed Area – 39,025 square feet

- Dry Stack Boat Storage Building..... 25,625 sq. ft.
- Dock Shops: 4 Bays and 4 shop suites..... 12,600 sq. ft.

- Dock Supplies..... 800 sq. ft.
- Vehicular Parking..... 33 stalls
- Gas Dock pump-out
- Underground Fuel Storage
- Refuse and Oil Disposal Facilities
- Metal Container Storage

Phase 3: Accessory and Commercial Uses:

Total Floor Proposed Area – 66,776 square feet

- Yacht Club..... 10,000 sq. ft.
- Boat House with Shell Launch Area..... 13,000 sq. ft.
- Café/Restaurant..... 8,000 sq. ft.
- Standard Retail..... 18,210 sq. ft.
- Marine Oriented Retail..... 13,243 sq. ft.
- Sailing School/Charter Service..... 4,323 sq. ft.
- Parking..... 205 stalls

*For consideration of this Use Permit, "live-aboards" are defined as any floating vessel berthed at the marina that is being used as a living unit for either short or long-term purposes.

Total floor area for all phases is proposed to be approximately 115,000 square feet with a total foot print of approximately 80,000 square feet, not including the metal container storage facilities. The floor area of proposed commercial uses is approximately 36,000 square feet and includes the café/restaurant, "standard retail," and yacht club. This corresponds to the approximately 30,000 square feet of commercial/retail uses anticipated and considered in the Environmental Assessment associated with this project. The additional floor area is all dedicated to marina oriented accessory uses, which were also generally considered in the Environmental Assessment. These uses include boat maintenance and other customary types of marina accessory uses such as marine oriented retail; harbor master; boat house; sailing school and charter service; as well as all of the structures shown on the plans in the boat yard area including dry stack boat storage and metal container storage.

In addition to considering the proposed combination of primary and accessory support uses, the City has also conducted a Parking Analysis of the overall site build-out for each proposed phase. Only uses that have an associated parking demand are included in the analysis. For example, accessory uses, such as restrooms, which do not contribute to the parking demand, are not included. Also, no additional parking is attributed to the various launches since 45 stalls for boat trailers are provided in immediate proximity to the launches. In the case that the City Zoning Ordinance provides ratios for proposed uses, those ratios are used. In other cases, where the ordinance does not specify parking ratios for a particular part of the marina use, ratios are based on a combination of factors, including industry standards; information about parking demand associated with a proposed program; and consideration of the shared parking opportunities of the overall sight for a combination of uses with varying peak hours and days of the week. The parking analysis follows:

Phases 1 Uses	Size of Use	Parking Ratio	Required Parking (Stalls)
Marina Basin	343 Slips	0.5 stalls/slip*	172
Harbor Master	5,700 sq. ft. office	1 stall/800 sq. ft.*	7
Live-Aboards	65	1 stall/live-aboard*	65
Total Required Parking:	Phase 1		244
Parking Provided:	Phase 1		315
Parking Differential:	Phase 1		+71

Phases 2 Uses	Size of Use	Parking Ratio	Required Parking (Stalls)
Dry Stack Boat Storage	160 boats	1 stall/5 boats*	32
Dock Shops	4 bays	3 stalls/bay	12
	3,000 sq. ft. workshop	1 stall/500 sq. ft.	6
Dock Supplies	800 sq. ft.	1 stall/200 sq. ft.	4
Total Required Parking:	Phase 2		54
Total Required Parking:	Phases 1 and 2		298
Parking Provided:	Phases 1 and 2		348
Parking Differential:	Phases 1 and 2		+50

Phase 3 Uses	Size of Use	Parking Ratio	Required Parking (Stalls)
Yacht Club	5,000 sq. ft. assembly	1 stall/100 sq. ft.*	50
	5,000 sq. ft. office	1 stall/250 sq. ft.	20
Boat House	7,500 sq. ft.	1 stall/500 sq. ft.*	15
Café	8,000 sq. ft.	1 stall/150 sq. ft.*	53
"Traditional" Retail (Shops 1, 2, 3, and 4)	18,210 sq. ft.	1 stall/200 sq. ft.	91
Marine Oriented Retail (Shops 5, 6, and 7)	13,243 sq. ft.	1 stall/500 sq. ft.*	26
Sailing School/Charter	1,500 sq. ft. office	1 stall/250 sq. ft.	6
Service (Shop 8)	1,000 sq. ft. classroom	1 stall/100 sq. ft.	10
	1,823 sq. ft. storage	1 stall/1,000 sq. ft.	2
Total Required Parking:	Phase 3		273
Total Required Parking:	Phases 1, 2, & 3		571
Parking Provided:	Phases 1, 2, & 3		553
Parking Differential:	Phases 1, 2, & 3		-18

* Ratios for these uses determined by industry standard and program details.

The parking analysis indicates that there may be a relatively slight shortage of parking of about 3%. However, the uses have also been assessed in terms of peak activity time and several of them, such as the sailing school and boat house, will have morning peak hours, while the retail and restaurant uses will peak midday and in the

evening. Since parking provisions will be shared throughout the property, the applicant proposes that parking will be adequate overall based on the staggered peak times for various portions of the use. Additional parking on the adjacent Pacific Shores campus will also be available for evenings and weekends, which is proposed to provide overflow parking in the case of special events that may take place during those times.

This Use Permit was evaluated by the Zoning Administrator with respect to the proposed uses, and in consideration of the parking analysis as well as the previously approved Environmental Assessment. The Zoning Administrator was able to make the following findings and the application for Use Permit was approved, subject to the conditions of approval listed below:

Findings:

1. The establishment, maintenance, and operation of the proposed use will not, under the circumstances of this case, be detrimental to the public health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood. The development of a marina is environmentally superior to the existing condition since site contamination will be significantly diminished. The marina design will be self contained in that all uses can be adequately serviced on site.
2. The establishment and operation of the proposed use will not be detrimental or injurious to property or improvements in the neighborhood because the marina design and operations will be reviewed and supervised to latest industry standards for this type of use. Furthermore, facilities, such as all utilities, emergency access, parking, and other service needs, will all be adequately provided.
3. The establishment and operation of the proposed use will not be detrimental or injurious to the general welfare of the City because the marina will provide a new high quality venue for public enjoyment of the San Francisco Bay in an environment with public access, maritime oriented enterprises; and commercial retail establishments that will provide a wide range of opportunities for waterfront experiences that have not been previously available in Redwood City.

Conditions of Approval:

General:

1. The subject use shall substantially conform to the plans and related information provided by Mark Sanders and Bohley Consulting on file with Planning Services, except as modified by the conditions contained herein.
2. Any modifications to said approved plans and related information must be submitted to Planning Services for review and approval prior to the issuance of a building permit.

3. The Use Permit is for all three phases of the marina development as described above. In the event of significant changes in these uses in terms of types of uses, unanticipated uses, or increases in size of the uses, a new Use Permit and possibly new Environmental Assessment, will be required. All of the uses permitted through this permit shall be subject to design review per conditions included below, prior to establishment of the use or construction of a structure associated with that use.
4. Occasional special events are allowed within the bounds of this Use Permit provided that they are marina oriented, such as regattas. The marina and/or event operator is responsible for notifying the City at least 60 days prior to such event to ensure that a separate Use Permit is not needed for said event. Parking and personnel shall be provided for the event so that it will not impact adjacent property owners and will not result in the need for Police or Fire Department deployment. The marina operator shall reimburse the City for any unusual use of Police or other City staff resources for such events.
5. All standard City codes, ordinances and conditions shall be adhered to including, but not limited to the following:
 - i. The applicant shall obtain a Building Permit prior to the construction of each structure.
 - ii. The plans and operation of the marina and supporting uses shall conform to all applicable Building and Fire Codes at all time.
 - iii. The applicant shall obtain an Engineering and Construction Permit for each phase of site preparation and grading as well as for landscaping. Bonding and insurance shall be provided as is customary per City requirements.
 - iv. The plans shall conform to City Engineering Standards.
 - v. The applicant is responsible for abiding by the City's Local Development Standards ordinance with respect to utilities and right-of-way improvements per Engineering and Construction Services determination.
 - vi. The applicant is responsible for paying the City's Transportation Impact Fee upon issuance of each Building or Engineering and Construction Permit that will result in the creation of a trip generating portion of the use.
 - vii. The applicant is responsible for conformance with NPDES regulations as they pertain to storm drainage for "sensitive sites." This condition applies to both the project design as well as to on-going operations.

Marina:

6. For consideration of this Use Permit, "live-aboards" are defined as any floating vessel berthed at the marina that is being used as a living unit for either short or long-term purposes. No more than 65 of the total 408 slips may be use for live-aboards. The owner is responsible to enforce and will be liable for any and all

corrective actions associated with a violation of this limitation. Furthermore, all live-aboards shall be properly connected to utilities and all other facilities as required by the City and any other applicable agencies involved in the regulation of live-aboards.

7. The overall hours of operation for the marina will be 24 hours per day, seven days per week. Most portions of the use will operate during traditional daytime business hours, such as the boat yard and retail businesses, etc. Restaurants and the yacht club are expected to have peak use weeknights, weekends, and holidays. The boat house, sailing school, and charter service are expected to have peak use in the morning.
8. Public access to open space and parking shall be maintained at all times as well as parking facilities for visitors.

Parking, Deliveries, Loading, Service:

9. The applicant shall provide signed and dated copies of any agreements with Pacific Shores for reciprocal parking use.
10. Special events, such as regattas and other types of festivals shall only occur when additional parking is available at Pacific Shores. The marina operator is responsible for providing personnel to direct traffic and parking use during such events.
11. The Phase 2 plans shall precisely indicate all parking and circulation needs for the boat yard functions, including but not limited to the fuel truck delivery route, other truck routes, large vehicle turning pads, appropriate driving surfaces, etc.
12. The parking lot plans shall be revised to improve the parking distribution. Overall, the Zoning Administrator has determined that on-site parking should be adequate for general the day-to-day operations of the marina and that special events can also be accommodated with overflow parking in the Pacific Shores parking lot. However, there is not enough parking located proximate to some of the uses with the highest parking demand, such as the café, standard retail, and yacht club. Thus, plans for Phase 3 shall be revised to include more parking in these areas, as well as a drop-off facility and parking for service vehicles (deliveries, trash, etc.).
13. The Phase 3 plans shall include a passenger drop-off and pick-up area adjacent to the boathouse, which is anticipated to accommodate students who are not yet of driving age.
14. The parking lot shall be designed and maintained to optimize efficiency and safety. The lot shall be permanently maintained and all stalls shall be double striped. Accessibility demarcations shall be permanently maintained.

15. The parking analysis conducted for this use indicates that parking should be adequate. However, in the event that the City determines that the parking is insufficient and recurring parking shortages result, this Use Permit may be subject to review at a public hearing and the marina operator will be responsible for mitigating the parking shortage. Mitigation may include, but are not limited to, altering the hours of operation of portions of the use, limiting the intensity of portions of the use, or providing additional parking.

Mitigation Measures:

16. Site operators shall ensure compliance with the Negative Declaration Mitigation Measures which are attached for reference. The Mitigation Measures were developed as a result of associated environmental review and were approved by the City of Redwood City Planning Commission on October 16, 2001 and as amended on January 20, 2004.

Other Agencies:

17. The applicant shall obtain all necessary permits from other applicable agencies including the Bay Conservation and Development Commission (BCDC) for design and operation of the marina as well as regulations pertaining to the creation of the marina (e.g. excavation and dredging).
18. The marina operations shall abide by the Port of Redwood City "Port Zone" regulations at all times and the operator is responsible for being made aware of and enforcing all such regulations with marina users.

Design Review:

19. The applicant shall obtain an Architectural Permit for the site plan, as well as for each proposed structure subject to review and approval by the Zoning Administrator. The site plan and building design orientation shall comply with BCDC's regulations and shall provide special emphasis on allowing public access and views of the bay and marina basin.
20. The applicant shall establish a Sign Program for review and approval by the Zoning Administrator and the Architectural Review Committee for all site and building signage. The landscape plan is also subject to review and approval by BCDC.
21. The applicant shall obtain an Architectural Permit for landscaping. A final landscaping plan and irrigation shall be submitted to the Planning Division for review and approval by the Zoning Administrator prior to the issuance of a building permit for each phase or associated with each structure as applicable. The lighting plan is also subject to review and approval by BCDC.
22. A final lighting plan shall be submitted to the Planning Division for review and approval by the Zoning Administrator prior to the issuance of a building permit. Said plan shall include all specifications related to fixtures and a photometric

study. The photometric study shall confirm that the effects of all lighting shall be confined within the boundaries of the project site and that any glare resulting from lighting shall be shielded from adjacent properties. The plan shall also be coordinated with the mitigation measures related to lighting and its potential impacts on wildlife.

23. All structures shall conform to the height and setback regulations of the Tidal Plain Zoning District. In the event of proposed height or setback deviations, a Variance will be required subject to review by the Zoning Administrator at a notice public hearing.


Commercial Services:

24. The design of trash and recycling containers shall be submitted for review and approval by Planning Services. Individual containers shall be of the same style as other site furniture, such as benches and lighting, which shall be installed with each phase of this project.
25. Operations associated with food services shall be submitted for review and approval by the Zoning Administrator. Such operations include, but are not limited to mat cleaning; deliveries; trash and recycling facilities (size, location and screening); and
26. Outside uses associated with commercial business, may include outside dining and class activities. Such programs shall be submitted for review and approval by the Zoning Administrator prior to commencement. In some cases, an individual specific use may require a Use Permit in that impacts may be associated with such uses. Any structures, including, but not limited to, tables, chairs, umbrellas, and other furniture, shall be commercial grades, submitted for City approval prior to installation, and permanently maintained in a like-new condition.
27. No outside storage is permitted outside of the boatyard unless it is fully enclosed and or screened, subject to review by the Zoning Administrator. This includes equipment used by boathouse users. Only equipment being staged for use or brought back into the boathouse may be located outside the boathouse on a temporary basis and only for limited time (less than two hours).
28. Trailer parking is only allowed in the designated trailer parking stalls and shall not be located in designated vehicle stalls. It is the responsibility of the marina operator to enforce this condition.
29. Aside from the marina use itself, other outside uses, such as dining and/or outside display, will require a Use Permit. For example, if outside dining is proposed in Phase 3, it shall be reviewed with the Use Permit for Phase 3.

Where a Use Permit has not been used within one (1) year from the date of granting, either by beginning of construction of the improvements or by the initiation of the activity which is the subject of the Use Permit, said Permit shall automatically terminate and be of no further effect.

If approved, no building or zoning permit shall be issued, and no use shall be established except in accordance with and subject to the terms and conditions outlined above, and in no case shall such permit be issued or use established prior to the final action on any appeals that may be filed within the appeal period. Any appeal made in accordance with the provisions of Section 48.2, Ordinance No. 1130 (Zoning Ordinance), must be received by the City Clerk no later than seven calendar days after the date of the official action. As such, this Use Permit shall become effective on the eighth (8th) day following the date of approval by the Zoning Administrator unless an appeal to said decision has been filed in accordance with the provisions stated above.


Jill Ekas, AICP
Zoning Administrator


Charles Jany, AICP
Current Planning Manager

Copy:

Building and Inspection Services

Engineering and Construction Services

Port of Redwood City (675 Seaport Boulevard, Redwood City, California 94063)

Bay Conservation and Development Commission (50 California Street, Suite 2600
San Francisco, California 94111)

Pacific Shores Investors (350 California Street, Suite 1905, San Francisco, CA 94104)

Pete Bohley (Bohley Consulting, 1875 South Grant Street, Suite 550, San Mateo, CA 94402)

ATTACHMENT: **Planning Commission** – *Originally adopted October 16, 2001 and as amended on January 20, 2004 per underlined language.*

Mitigation Measures:

1. The application shall require that the applicant obtain a Conditional Use Permit from the Zoning Administrator prior to issuance of a building permit.
2. The applicant shall obtain an exception from the Planning Commission per the requirements of Chapter 30 of the Redwood City Code prior to any construction activities.
3. A maximum of 65 live-a-boards shall be allowed in order to limit traffic impacts.
4. A Soils and geotechnical Report shall be prepared, and submitted to the Engineering Division of Redwood City Community Development Services, as well as to BCDC, the U.S. Army Corps of Engineers (Section 404 permit) prior to issuance of a Building Permit. In addition, a drainage plan, an erosion and sedimentation plan and a storm water pollution prevention plan (conforming to NPDES requirements) shall be submitted and approved by the City Engineering Division, BCDC, U.S. Army Corps of Engineers prior to the beginning of development and construction activities. All disturbed portions of the drainage ditch which separates the project site from Pacific Shores shall be restored to preexisting conditions prior to issuance of final permit by the Redwood City Building Division.
5. A Dirt Hauling Permit shall also be required for the anticipated importation of topsoil to the site. A similar permit will be required in the event that soil is exported from the site, (the bittern materials referred to in section III will be exported by rail but will require that the applicant submit a Closure Plan to the Redwood City Engineering Division prior to the issuance of a grading permit). A Dirt Hauling Permit shall also be required for the soil imported to the site to facilitate site preparation (wicking).
6. The applicant will be required to implement dust control measures during site preparation and construction activity in order to help reduce this temporary impact.
7. The applicant shall provide a second point of access to the perimeter road around the marina basin at a location as shown on figure 2, page 6 of the RKH traffic study for the proposed project, prior to issuance of a Building Permit. The secondary access point could be designated for emergency access only and be controlled by a locked chain gate, as determined by the Redwood City Fire Department. Alternately, the applicant shall obtain approval for an emergency access plan that includes additional access points.

8. The marina access road connection to the Pacific Shores Center perimeter street should be "Stop" sign controlled.
9. A Traffic Impact Fee of \$285.30 per boat berth shall be paid by the applicant prior to issuance of a Building Permit. Traffic Impact Fees shall also be paid for the commercial portion of the development based on the City's adopted fee rate.
10. The applicant shall coordinate with the U.S. Fish and Wildlife Service and California Department of Fish and Game to determine an appropriate location for recreating the roost site. The applicant shall also submit specific design plans for the island to Community Development Services for review and approval prior to obtaining the grading permits for the project. Community Development Services may accept written approvals from U.S. Fish and Wildlife Service and California Department of Fish and Game of roost site mitigation plan as evidence of compliance with this measure. Alternately, since Cargill pond 10 is continuing to function as a roost site, it shall be the responsibility of any future developer involved in the conversion of pond 10 to another use to locate a new roost site.
11. The applicant shall obtain all necessary permits, (including a Section 401 permit or certification) from the San Francisco Regional Water Quality Control Board for all applicable activities, as determined by that agency.
12. The project landscape plans shall require an architectural permit prior to installation and shall comply with the regulations of the concerned agencies (including BCDC and Fish and Wildlife Service and the Department of Fish and Game) and shall also conform to the Redwood City Water Conservation Guidelines.
13. Noise levels shall be kept to a level of compliance with all applicable agency standards (for example, BCDC, Fish and Wildlife Service, Department of Fish and Game) so as not to detrimentally impact any neighboring "habitat". The applicant shall coordinate a wildlife-monitoring program with the Department of Fish and Game and the Fish and Wildlife Service.
14. The applicant shall submit a Lighting Plan with a photometrics study for review and approval by Community Development Services, and all applicable agencies (for example, BCDC, Fish and Wildlife Service, Department of Fish and Game) to insure that the site is adequately, but not excessively lit for night time use and security.
15. The applicant shall coordinate with the Redwood City Fire Department and San Mateo County Office of Environmental Health a Hazardous Materials Plan prior to issuance of a Building Permit for the project.

16. The applicant shall obtain all necessary clearances from the San Mateo County Health Services Agency pertaining to soil contamination on the site prior to construction.
17. The applicant shall obtain an Architectural Permit for site, building, signs, lighting and landscape/irrigation improvements from Redwood City Community Development Services.
18. The project shall meet all necessary requirements of the Redwood City Fire Department which could include the installation of a fire sprinkler system for all applicable buildings.
19. The applicant shall underground all overhead utility lines.
20. The applicant shall obtain a Building Permit from Redwood City Community Development Services prior to construction.
21. The applicant shall install and maintain buoys down the centerline of Westpoint Slough to identify the "No Wake" speed zone, delineate the center of the channel for adequate draw, and discourage boats from deviating off the navigable channel. The applicant shall also install and maintain a buoy system 100 feet from the salt marsh on Greco Island along Westpoint Slough and Redwood Creek. The buoys shall contain signs informing the public that public access into the marshlands of the San Francisco Bay National Wildlife Refuge is prohibited. The applicant shall coordinate with the San Francisco Bay National Wildlife Refuge on specific wording and locations of the buoys.
22. The Marina Operator/Harbor Master shall be responsible for maintenance of the buoys and annual reporting to the City Planning Department on the conditions of the buoy system, effectiveness of the buoys, and information on observed or reported intrusions onto Greco and other islands. The Harbor Master shall be responsible for reporting intrusions/unauthorized landings on the island to appropriate enforcement agencies (i.e., San Francisco Bay National Wildlife Refuge, Redwood City Police, Coast Guard, etc.).
23. The Applicant shall redesign the project to provide a two story Harbor Master's office in a location that will provide a view of the marina as well as Westpoint Slough/Greco Island. The intent of this measure is to provide a regularly staffed observation location for compliance. The location of the Harbor Master's office shall be submitted to Community Development Services for review and approval prior to obtaining a grading permit for the project.
24. The Marina Operator/Harbor Master shall also adopt appropriate language for all rental contracts for marina slips and for boat launching that include progressive penalties (maximum one warning with the second time expulsion for a minimum of 1 year) for violating access restrictions onto Greco and other

islands. The applicant shall submit the wording and draft contract to Community Development Services for review and approval prior to issuing the certificate for occupancy.

25. The Marina Operator/Harbor Master shall also install and maintain information signs at the boat launch and other public access areas informing the public of the access restrictions on Greco Island and other wetlands in the San Francisco Bay National Wildlife Refuge. The draft wording and locations of the signs shall be coordinated with the U.S. Fish and Wildlife Service San Francisco Bay National Wildlife Refuge and Bay Conservation and Development Commission and shall submit the plans for the locations, layout, and wording for the signs to Community Development Services for review and approval.
26. The applicant shall erect and maintain a minimum 6-foot tall fence east along Westpoint Slough from the end of the public access area around the eastern and southern edges of the property to prevent informal trail establishment and access to adjacent pond levees and fringe marshes.
27. The applicant shall provide a written commitment to the City, Department of Fish and Game and U.S. Fish and Wildlife Service San Francisco Bay National Wildlife Refuge to cooperate on any future restoration plans for the adjacent salt ponds. Future restoration plans unknown.
28. The applicant shall provide visual barriers between the active marina areas and the adjacent salt pond to reduce disturbance to water birds using the salt pond. The visual screening can be achieved through setbacks (85 to 90 feet in width) or through a combination of reduced setbacks combined with landscaping or other visual barriers (fence slats) that obscure near range views of the salt ponds (less than 100 feet from the human use areas).
29. The applicant shall select and limit landscaping to species which are not considered to be problematic invasive exotics by the California Exotic Pest Plant Species Council. Trees and shrubs shall utilize the Landscape Tree Suitability Index developed for the Pacific Shores Center project. Only trees and shrubs with a High Landscaping Suitability Index rating (low potential for nest and roost sites) shall be used for general landscaping. High Suitability index trees shall exhibit at least two the following characteristics at tree maturity:
 - ◆ Less than 20 to 25 feet in height; columnar shape; fine limbs; or closed, dense crown structure.
30. The Marina Operator and any marina tenants shall implement and maintain best management practices (BMPs) to limit food sources and cover (nesting, roosting, and denning sites) for non-native and urban adapted predators.

31. The applicant shall develop and implement an ongoing education plan informing the tenants and public users of the need to follow the BMPs for minimizing predators.
32. Operator/Harbor Master shall prohibit the establishment of feral cat feeding stations on the property.
33. The Marina Operator/Harbor Master shall coordinate with the invasive Spartina control group and shall annually remove invasive cordgrass from marina property until regional control efforts are discontinued.
34. The applicant shall develop a water quality control plan that address the State's NPS/CZARA Marina and Recreational Boating Management Measures and provide a copies of the Section 404 permit and authorization from the San Francisco Bay Regional Water Quality Board (401 certification or Waste Discharge Requirements) to Community Development Services in order to document that the Regional Board has reviewed and approved the plan. The plan and approvals shall be submitted prior to obtaining a grading permit for the project. Copies of any required monitoring for the Regional Board shall be submitted to City Planning Department.
35. Personal watercraft shall not be allowed in the marina.
36. The project will participate in the "oil spill Prevention and Response" program managed by the California department of Fish and Game.
37. The project will incorporate in its design "Best Management Practice" in regard to storm water run-off including complying with the recently adopted requirements of the regional Water Quality Control Board.
38. A buoy system will be installed approximately 100 feet from Greco Island with signs stating that Greco Island is closed to the public.
39. A no wake policy shall be adopted by the developer and enforced at all times by the designated project manager (Harbor master) for the marina as well as for Westpoint Slough.
40. The proposed dredging of Westpoint Slough from the Marina entrance to the centerline of the Slough will be accomplished outside of the Clapper Rail breeding season (Feb 1st to September 1st).
41. The Marina will have routine garbage collection as required by the City of Redwood City as well as San Mateo County Health ordinances.
42. The developer will coordinate with the Refuge authorities relative to the wording to be placed on signs regarding the protection of Greco Island.

43. The six foot high chain link fence that is proposed along the South side of the Marina to prohibit access to the remaining portion of Cargill bittern pond will be extended northwesterly along the existing levee to prohibit access to the existing marsh. Appropriate signage will also be developed with the appropriate authorities to explain the reason for the fencing.
44. The Developer will support the City in the development and enforcement (as determined by the City and other applicable agencies) of an ordinance prohibiting overnight mooring in Westpoint Slough.
45. An ongoing exotic cordgrass control program shall be developed and implemented within one year of the marina's operation to minimize sedimentation inside the marina.
46. Riprap, as approved for Pacific Shores shall be used for erosion control of levee banks.
47. The proposed connection to Westpoint slough will be dredged in an arc so that flows are directed Westerly toward Redwood Creek and not toward Greco Island.
48. Sewer facilities will be constructed to individual slips that will contain live-a-boards. All of the sewage for the marina shall be constructed to standards approved by City engineering as well as the Coast Guard and the Department of Fish and Game, whichever is more restrictive.